

**SYNOPSIS OF LITIGATION FOR CUMBERLAND COUNTY
OCTOBER 1, 2013, THROUGH SEPTEMBER 30, 2014**

#1

Name of Case: Spec Ops Expo; Spec-Ops Expo; Spec Ops; Special Operations Expo; Special Operations Exposition and Trade Show, Inc.; Special Operations Exposition & Conference; Thomas Bumback; and J. K. Idema v. The Lodestar Group, LLC; Defense Trade Shows; Catherine Vilga; Jeanne Eury; Robert E. Besal; Grainger R. Barrett; Rick Reno; Dionne LeBlanc-Hill; Cumberland County Civic Center; Crown Center; Cumberland County Civic Center Commission; Cumberland County Civic Center Commission, d/b/a Crown Center and d/b/a Crown Coliseum; Crown Center a/k/a Coliseum; and John Does 1-12; in their official and unofficial capacities

United States District Court for the Southern District of New York
Case No.: 08 CVS 3824 (PAC)

Date of the Complaint or Claim: April 22, 2008

What is the Complaint or Case About: Breach of contract, defamation

What is the Relief Sought: Monetary damages.

What is the Current Status of the Case or Claim: Attorney David Schulz of the firm, Levine Sullivan Koch & Schulz, LLP, has been retained as local counsel for all county defendants. The matter is still pending in the U. S. District Court for the Southern District of New York. According to court records, there has been no activity in this case since September 2008. A Minute Order was entered by the court on May 31, 2011, showing the case as not open for statistical purposes. Plaintiff J. K. Idema died in 2012.

What is the Prognosis of Recovery: Highly unlikely

What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment: N/A

What is the Date this Case or Claim was Closed: Open.

Who is the Attorney Representing the County and/or its Employees: Ronnie Mitchell, David Schultz, Jack Carter (representing Grainger Barrett, now deceased), Steven Stokes, and Reginald Gillespie

#2

Name of Case: Samuel and Doris Fort; Julie Katherine Faircloth; Raeford B. Lockamy II; OK Farms of Cedar Creek, LLC; and Arnold Drew Smith, Petitioners, v. County of Cumberland and TigerSwan, Inc., Respondents.
Cumberland County Superior Court
Case No.: 12-CVS-8440

Date of the Complaint or Claim: September 25, 2012

What is the Complaint or Case About: Appeal of decision of Board of Adjustment upholding grant of zoning permit

What is the Relief Sought: Reversal of decision to grant zoning permit with a claim for attorney fees

What is the Current Status of the Case or Claim: Court of Appeals reversed trial court and upheld county's issuance of a permit in a decision published August, 2014. Plaintiffs have petitioned N. C. Supreme Court for discretionary review.

What is the Prognosis of Recovery: N/A

What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment: Plaintiffs have made claim for their attorney fees if they prevail. Plaintiffs did prevail at trial court and attorney fees were not awarded.

What is the Date this Case or Claim was Closed: Open.

Who is the Attorney Representing the County and/or its Employees: Rickey Moorefield, Co. Atty., and Rob Hasty, Asst. Co. Atty., are representing county only

#3

Name of Case: Kenneth C. Nettles and Tami Jernigan Nettles v. County of Cumberland, Regisnald M. Kirby and Jacqueline T. Kirby
Case No.: 13 CVS 4517

Date of the Complaint or Claim: June 10, 2013

What is the Complaint or Case About: Petitioners challenge the issuance of a Special Use Permit issued by the Cumberland County Board of Adjustment to Mr. and Mrs. Kirby to operate a firing range for profit, specifically so that Mr. Kirby can charge for teaching gun safety classes. The Petitioners are concerned about noise, safety, and a drop in property values if the range operates as set forth in the Permit.

What is the Relief Sought: Revocation of the Special Use Permit and attorney fees if the Petitioners prevail.

What is the Current Status of the Case or Claim: The parties argued their positions before a Superior Court Judge on October 27, 2014 and are awaiting a decision.

What is the Prognosis of Recovery: The best estimate based on the questions from the Judge at the hearing is sixty/forty per cent in favor of a ruling in the Petitioners' favor. It is doubtful attorney fees will be awarded.

What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment: N/A

What is the Date this Case or Claim was Closed: N/A

Who is the Attorney Representing the County and/or its Employees: Rob Hasty from the County Attorney's office.

#4

Name of Case: James Edwards Coombs v. Nurse Lewis, Nurse Anthony, Nurse Geddie, Corporal Fuller, and Lt. Ivey
Case No.: 5:13-CT-03183-BO

Date of the Complaint or Claim: August 1, 2013

What is the Complaint or Case About: Plaintiff is an inmate at the Cumberland County Detention Center. He alleges that on June 29, 2013, he complained of chest pains and was not evaluated or given treatment.

What is the Relief Sought: Monetary damages.

What is the Current Status of the Case or Claim: The court granted Defendants' Motion to Dismiss on August 21, 2014.

What is the Prognosis of Recovery: N/A

What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment: N/A

What is the Date this Case or Claim was Closed: August 21, 2014.

Who is the Attorney Representing the County and/or its Employees: Ronnie Mitchell, Sheriff's Counsel appeared on behalf of Corporal Fuller and Lt. Ivey; Rob Hasty from the County Attorney's office appeared on behalf of the Nurse defendants.

#5

Name of Case: Darrell Handelsman v. Cumberland County, North Carolina, and the City of Fayetteville, North Carolina, a Municipal Corporation
Case No.: 13 CVS 6096

Date of the Complaint or Claim: August 8, 2013

What is the Complaint or Case About: Alleged the county and city were negligent in maintenance of kitchen equipment which caused an explosion resulting in serious injuries to plaintiffs

What is the Relief Sought: Monetary damages

What is the Current Status of the Case or Claim: This case was settled for \$500,000 split equally between the City and County.

What is the Prognosis of Recovery: N/A

What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment:

What is the Date this Case or Claim was Closed: 8/27/2014

Who is the Attorney Representing the County and/or its Employees: Dan Hartzog and Jennifer Welch of Cranfill, Sumner & Hartzog, L.L.P.'s Raleigh office were retained to jointly defend the defendants in this case. Rick Moorefield and Robert Hasty from the County Attorney's office and Karen McDonald from the City Attorney's office assisted outside counsel with the defense.

#6

Name of Case: Mark Wilderman v. Cumberland County, North Carolina, and the City of Fayetteville, North Carolina, a Municipal Corporation
Case No.: 13 CVS 6695

Date of the Complaint or Claim: September 5, 2013

What is the Complaint or Case About: Alleged the county and city were negligent in maintenance of kitchen equipment which caused an explosion resulting in serious injuries to plaintiffs

What is the Relief Sought: Monetary damages.

What is the Current Status of the Case or Claim: This case was settled for \$650,000, split equally between the City and County.

What is the Prognosis of Recovery: N/A.

What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment:

What is the Date this Case or Claim was Closed: 5/5/2014

Who is the Attorney Representing the County and/or its Employees: Dan Hartzog and Jennifer Welch of Cranfill, Sumner & Hartzog, L.L.P.'s Raleigh office were been retained to jointly defend the defendants in this case. Rick Moorefield and Robert Hasty from the County Attorney's office and Karen McDonald from the City Attorney's office assisted outside counsel with the defense.

#7

Name of Case: Samuel and Doris Fort, Julia Katherine Faircloth, Raeford B. Lockamy, II, OK Farms of Cedar Creek, LLC, and Arnold Drew Smith v. County of Cumberland, TigerSwan, Inc., and Precythe Properties, LLC
Case No.: 13 CVS 9614

Date of the Complaint or Claim: April 1, 2014

What is the Complaint or Case About: This case is a challenge to the rezoning of land to allow an outdoor firing range.

What is the Relief Sought: The Plaintiffs' seek to have the rezoning declared unlawful and void, and they seek attorney fees if they prevail.

What is the Current Status of the Case or Claim: The parties have not been active in this case since the responsive pleadings were filed because a recent unanimous decision of the N.C. Court of Appeals in a related case may essentially render this matter moot. The Plaintiffs here have asked the N.C. Supreme Court to take up the related case, and if the Supreme Court does not do that, the Court of Appeals decision stands. The Supreme Court is not obligated to take up the other case and rarely takes up cases in this posture.

What is the Prognosis of Recovery: At this time it appears unlikely that the Plaintiffs will receive the relief they are seeking.

What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment: N/A

What is the Date this Case or Claim was Closed: N/A

Who is the Attorney Representing the County and/or its Employees: Rick Moorefield and Rob Hasty from the County Attorney's office.

#8

Name of Case: Jackie Blue v. Cumberland County
Case No.: 5:14-CV-86-BO

Date of the Complaint or Claim: February 20, 2014

What is the Complaint or Case About: Plaintiff alleges the Crown Complex is not compliant with the Americans with Disabilities Act (ADA).

What is the Relief Sought: Injunctive Relief and Attorney Fees/costs

What is the Current Status of the Case or Claim: Defendant has filed a Motion to Dismiss, and the Plaintiff will file a reply to the Motion to Dismiss in the near future. Following the reply, the parties will await the court's ruling.

What is the Prognosis of Recovery: It is unknown at this time.

What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment: If the Crown Complex is found not to be in compliance with the ADA, any deficiencies will need to be remediated at cost and attorney fees may be awarded to plaintiff's counsel.

What is the Date this Case or Claim was Closed: N/A

Who is the Attorney Representing the County and/or its Employees: Rob Hasty from the County Attorney's office

#9

Name of Case: Glenn Henderson v. Jim Ammons, Mary Ann Tally, Nathan Hatch, Cape Fear Valley Medical Center, Fayetteville, NC, Cumberland County, NC, State of NC, Wake Forest University, Bank of America, Fayetteville Technical Community College, Eaton, BB&T, Methodist University, Cape Fear Staffing, WF Doe, Does on WF Incident Report Committee
Case No.: 5:14-CV-210-BR

Date of the Complaint or Claim: April 4, 2014

What is the Complaint or Case About: Plaintiff has made rambling allegations against numerous unrelated defendants. As to Cumberland County, he alleges he should have been hired for positions for which he applied.

What is the Relief Sought: Monetary Damages

What is the Current Status of the Case or Claim: Several Defendants, including Cumberland County, have filed Motions to Dismiss. Other Defendants have not yet been served, but they will also move to dismiss when served.

What is the Prognosis of Recovery: highly unlikely

What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment: N/A

What is the Date this Case or Claim was Closed: N/A

Who is the Attorney Representing the County and/or its Employees: Rob Hasty from the County Attorney's office

#10

Name of Case: Ashley Worlock v. County of Cumberland, Melissa Grimes-Gooden, Tyrongella Davis, Kimberly Koch, Mary McCoy, Brenda Reid Jackson, and Lelia Goode-Eatmon
Case No.: 4:14-CV-0102-BR

Date of the Complaint or Claim: June 10, 2014

What is the Complaint or Case About: Plaintiff alleges her constitutional rights were violated by the County and DSS employees when her family was separated during an investigation of child abuse pertaining to her husband.

What is the Relief Sought: Monetary Damages

What is the Current Status of the Case or Claim: Defendants have filed a Motion to Dismiss.

What is the Prognosis of Recovery: It is difficult to predict the possibility of recovery this early in the litigation until a thorough investigation is complete on how the report of abuse was handled and whether any state statutes or county policies were not followed.

What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment: N/A

What is the Date this Case or Claim was Closed: N/A

Who is the Attorney Representing the County and/or its Employees: Rob Hasty from the County Attorney's office.

#11

Name of Case: Samuel and Doris Fort, Julia Katherine Faircloth, Raeford B. Lockamy, II, OK Farms of Cedar Creek, LLC, and Arnold Drew Smith v. County of Cumberland, TigerSwan, Inc., and Precythe Properties, LLC
Case No.: 13 CVS 9614

Date of the Complaint or Claim: April 1, 2014

What is the Complaint or Case About: This case is a challenge to the rezoning of land to allow an outdoor firing range.

What is the Relief Sought: The Plaintiffs' seek to have the rezoning declared unlawful and void, and they seek attorney fees if they prevail.

What is the Current Status of the Case or Claim: The parties have not been active in this case since the responsive pleadings were filed because a recent unanimous decision of the N.C. Court of Appeals in a related case may essentially render this matter moot. The Plaintiffs here have asked the N.C. Supreme Court to take up the related case, and if the Supreme Court does not do that, the Court of Appeals decision stands. The Supreme Court is not obligated to take up the other case and rarely takes up cases in this posture.

What is the Prognosis of Recovery: At this time it appears unlikely that the Plaintiffs will receive the relief they are seeking.

What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment: N/A

What is the Date this Case or Claim was Closed: N/A

Who is the Attorney Representing the County and/or its Employees: Rick Moorefield and Rob Hasty from the County Attorney's office.